

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA;

11 Plaintiff;

12 v.

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14 THE REAL PROPERTY COMMONLY
15 KNOWN AS 101 WEST HERMOSA DRIVE,
16 SAN GABRIEL, CALIFORNIA 91775, LOS
17 ANGELES COUNTY, PARCEL NO.
18 536021022, TITLED IN THE NAME OF DEK
19 GROUP, LLC;

20 ALL FUNDS CONTAINED IN WELLS
21 FARGO BANK ACCOUNT NUMBER
22 XXXXXX4582, HELD IN THE NAME OF
23 BRIAN K. BURNETT;

24 AND

25 ALL FUNDS CONTAINED IN BANK OF
26 AMERICA ACCOUNT NUMBER
XXXXXXX9392, HELD IN THE NAME OF
DEK GROUP, LLC;

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28 Defendants.

10 CASE NO. C17-1138-JCC

11 ORDER

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This matter comes before the Court on the Government's status report (Dkt. No. 23). The Court previously stayed all proceedings in this civil forfeiture case because the Government was

1 prosecuting a related criminal case before the Court. *See United States of America v. Alexandra*
2 *Shelburne, et al.*, Case No. CR17-0203-JCC, Dkt. No. 1 (W.D. Wash. 2017). The Court
3 concluded that the civil and criminal cases were sufficiently related and that civil discovery
4 would adversely affect the Government's ability to investigate and prosecute the criminal case.
5 (Dkt. No. 15 at 3) (citing 18 U.S.C. § 981(g)(1)). The Court has granted three extensions of the
6 stay. (Dkt. Nos. 18, 20, 22.)

7 In its status report, the Government notes that the criminal case is ongoing. (Dkt. No. 23
8 at 3.) The Government is continuing to prosecute a defendant who may claim ownership of the
9 properties at issue in this civil forfeiture action. (*Id.*); *see also* *Shelburne*, CR17-0203-JCC, Dkt.
10 No. 268. Therefore, the Government asks the Court to continue the current stay. (Dkt. No. 23 at
11 3.)

12 The Court concludes that it is appropriate to continue its stay of proceedings. The
13 Government continues to investigate and prosecute the related criminal case. The Government
14 seeks forfeiture of some of the same assets named in this civil forfeiture action. *Shelburne*,
15 CR17-0203-JCC, Dkt. No. 48 at 15–17; (Dkt. No. 1 at 55–59.) The Court finds that allowing
16 civil discovery in this case would adversely affect the Government's ongoing investigation and
17 prosecution in the criminal case. 18 U.S.C. § 981(g)(1).

18 All proceedings in this matter remain STAYED until the related criminal case, *Shelburne*,
19 CR17-0203-JCC, is resolved, either through a verdict or guilty plea. The United States shall file
20 a status report no later than May 8, 2020.

21 DATED this 11th day of March 2020.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE